

Policy Number:	ADM 23
Policy Type:	Administration Policy
Policy Name:	<b>Attendance at Events and Functions</b>
Policy Owner:	Chief Executive Officer
Authority:	Shire of Nannup

## **POLICY**

### Introduction

Section 5.90A of the Local Government Act 1995 provides that a local Government must prepare and adopt an Attendance at Events policy.

This policy addresses attendance at any events, including concerts, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government.

The purpose of the policy is to provide transparency about the attendance at events by Councillors, the Chief Executive Officer (CEO) and other employees.

Nothing in this policy shall be construed as diminishing the role of the CEO in approving attendance at activities or events by other employees that in the opinion of the CEO are appropriate, relevant and beneficial to the Shire of Nannup.

### Legislation

Section 5.90A of the Local Government Act 1995 for attendance at events.

(1) In this section – event includes the following;

- a concert;
- a conference;
- a function;
- a sporting event;
- an occasion of a kind prescribed by the Local Government (Administration) Regulations 1996.

(2) A local government must prepare and adopt a policy that deals with matter relating to the attendance of council members and the CEO at events, including;

- the provision of tickets to events;
- payments in respect of attendance;
- approval of attendance by the local government and criteria for approval; and
- any prescribed matter.

\*Absolute majority required

### Gift Disclosure Requirements

Attendance at an event in accordance with this policy will exclude the gift holder from the requirement to disclose a potential conflict of interest if the ticket is above \$300 (inclusive of GST) and the donor has a matter before Council. Any gift received that is \$300 or less (either one gift or cumulative over 12 months from the same donor) also does not need to be disclosed as an interest.

Guidance is provided below:

If a Councillor receives a ticket in their name, in their role as Councillor, of \$300 or greater value, they are still required to comply with normal gift disclosure requirements.

Whilst the law permits greater than \$300 to be accepted by the CEO (but not other employees), in their role with the Shire, the CEO and all other employees are prohibited from accepting any gift greater than \$300, unless from the Shire as the organiser of the event or as a gift pursuant to Section 5.50 of the Local Government Act 1995 (gratuity on termination).

If the CEO or an employee receives a ticket in their name, in their role as an employee, of between \$50 and \$300, they are required to comply with normal gift disclosure requirements and the Code of Conduct as per notifiable and prohibited gifts.

Note this policy doesn't apply to prizes won by 'games of chance' such as a lottery, raffle, business card draws or contest.

### Pre-approved events

In order to meet the policy requirements tickets and invitations must be received by the Shire (as opposed to in the individual person's name).

Under this policy Council approves attendance at the following events by Councillors, the CEO and employee of the Shire:

- Advocacy, lobbying and Ministerial briefings;
- Meetings of clubs or organisations within the Shire of Nannup;
- Any free event held within the Shire of Nannup;
- Australian or Western Australian local government events;
- Events hosted by local Clubs and Not for profit organisations within the Shire of Nannup to which the Shire President, Councillor(s), CEO or employee(s) have received an official invite their position;
- Shire hosted ceremonies and functions;
- Shire hosted event with employees;
- Shire run tournaments or events;
- Shire sponsored functions or events;
- Community Art exhibitions within the Shire of Nannup or South West region;
- Cultural events/festivals within the Shire of Nannup or South West region;
- Events run by a Local, State or Federal Government
- Events run by schools and universities within the Shire of Nannup;

- Major professional bodies associated with local government at a local, state or federal level.
- Opening or launch of an event or facility within the Shire Nannup or South West region.
- Recognition of service events;
- RSL events;
- An event run by an organisation of which the Shire of Nannup is a member such as Warren Blackwood Alliance of Councils and Southern Forests and Valleys Tourism Association.
- Where the Shire President, Councillor(s), CEO or employee(s) have been formally requested.
- If the event is free to attend.

If there are more tickets than prospective attendees, the Shire President and CEO will liaise to determine allocations.

#### Approval Process for events not Pre-approved

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval prior to the event for approval as follows:

- Events for the Shire President may be approved by the Deputy Shire President;
- Events for the Deputy Shire President may be approved by the Shire President;
- Events for Councillors may be approved by the Shire President;
- Events for the CEO may be approved by the Shire President; and
- Events for employees may be approved by the CEO.

Considerations upon granting approval include:

- The benefit to the Shire of the person attending.
- Alignment to the Shire Strategic Objectives.
- The number of Shire representatives already approved to attend.
- Any justification provided by the applicant when the event is submitted for approval.

Where a Councillor has an event approved through this process and there is a fee associated with the event, then the cost of the event, is to be paid by the local government.

Where the CEO or employee has an event approved through this process and there is a fee associated with the event, then the cost of the event is to be paid for by the local government.

Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the Shire, must be reimbursed by the representative unless expressly authorised by the Council.

### Approval Process for events not Pre-approved

Any event that is pre-approved or approval is not submitted through an approval process, or is received personally is considered a non-approved event:

If the event is free then no approval is required.

If the event is ticketed and the attendee pays the full ticketed price and is not seeking reimbursement from the Shire, then no approval is required.

If the event is ticketed and the Councillor, CEO or employee pays a discounted rate, or is provided with a free ticket(s), then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days.

Organisations that desire attendance at an event by a particular person(s), such as the President, Deputy President, Councillor, CEO or particular employee of the Shire, should clearly indicate that on the offer, together what is expected of that individual, should they be available, and whether the invite/ticket is transferable to another Shire representative.

Tickets that are provided to the Shire without denotation as to who they are for, will be provided to the CEO and attendance determined by the CEO in liaison with the Shire President, based on relative benefit to the organisation in attending the event, the overall cost in attending the event inclusive of travel or accommodation, availability of representatives, and the expected role of the relevant Councillor or employee.

### Disputes

Any disputes regarding the approval of attendance at events are to be resolved by the Shire President in relation to Councillors and by the CEO in relation to employees.

### References

[https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline—attendance-at-events-policy.pdf?sfvrsn=f053677a\\_9](https://www.dlgsc.wa.gov.au/docs/default-source/local-government/operational-guidelines/operational-guideline—attendance-at-events-policy.pdf?sfvrsn=f053677a_9)

Related Policies	Nil
Related Procedures/Documents	Nil
Delegated Level	Nil
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